UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/657,001	09/07/2000	Erez Halahmi	G01/4	1829

7590   02/25/2005

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EXAMINER
MAURO JR, THOMAS J

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>29 September 2004</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-6,8-11 and 13-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-6,8-11 and 13-19</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the amendment filed on September 29, 2004. In it, claim 14

has been amended. Claims 1-6, 8-11 and 13-19 are pending and are again presented for

examination. A formal action on the merits of claims 1-6, 8-11 and 13-19 follows.

Terminal Disclaimer

2.   The terminal disclaimer filed on 9/29/04 disclaiming the terminal portion of any patent

granted on this application which would extend beyond the expiration date of U.S. 6,684,088 has

been reviewed and is accepted. The terminal disclaimer has been recorded.

Response to Arguments

3.   Applicant's arguments filed 9/29/2004 have been fully considered but they are not

persuasive.

(A) Applicant contends that Pollack fails to teach a separate e-mail server and an e-mail

proxy, whereas claim 14 calls for this limitation.

In response to argument (A), the Examiner respectfully disagrees with the applicant's

contention and asserts that Pollack does in fact teach both an e-mail proxy, i.e. attachment

stripper, and an e-mail server for routing messages. To illustrate this, Pollack teaches in Col. 2

lines 4-5 that a separate network server, i.e. proxy, is used for detaching the attachment and

storing in on a network server for later retrieval. This is notion is further exemplified by both

Col. 5 lines 56-58, Col. 7 lines 66-67 and Col. 8 lines 17-18. Here, Pollack teaches that the

receiving portal, namely a unit in Figure 1 (which the applicant refers to as the e-mail server) is

distinct from the e-mail server. Thus, Pollack teaches that an e-mail server along with a network

server, i.e. proxy is used to detach the attachments and forward the messages. Figure 1 is not an

e-mail server as it does not contain any of the functionality of all e-mail servers, namely a

directory of mailboxes, routing tables, etc. Thus, the applicant's contention is moot as Pollack

clearly teaches both a network server, i.e. proxy, for detaching the messages and storing the

messages for later retrieval, along with a typical e-mail server which is inherent to any e-mail

system. Because the attachment server generates the handle which is then placed into the

message and passed to the e-mail server, Pollack thereby teaches that both the network proxy

server and e-mail server can and do communicate with each other. Please see rejection below for

additional clarification.

(B)   Applicant contends that the attachment information of Pollack is retrieved after the

        file is downloaded, whereas the present invention downloads the attachment

        information optionally before the attachment.

In response to argument (B) that the references fail to show certain features of applicant's

invention, it is noted that the features upon which applicant relies (i.e., downloading the

attachments themselves at a later point) are not recited in the rejected claim(s). Although the

claims are interpreted in light of the specification, limitations from the specification are not read

into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

> (C) Applicant contends that the combination of Pollack and Pizano, namely the decoding
>
> of attachments, would be inoperable along with the attachment being requested and
>
> decoded without any reference to the e-mail message.

In response to argument (C), Examiner asserts that applicant's argument is unfounded as

the applicant is trying to argue the references of Pollack and Pizano piecemeal. In response to

applicant's arguments against the references individually, one cannot show nonobviousness by

attacking references individually where the rejections are based on combinations of references.

See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091,

231 USPQ 375 (Fed. Cir. 1986). Applicant is merely relying on Pizano for the decoding of

attachments, which he clearly teaches in Col. 4 lines 46-47. The mere fact that he teaches

decoding attachments is combined with the email messaging system of Pollack. Furthermore,

applicant is trying to argue limitations from the specification into the claims. Nowhere is it

stated in claim 1 that the attachment is requested and decoded without any reference the email

message. Thus, this part of the argument will not be considered.

(D) Applicant contends that one of ordinary skill in the art would not be motivated to

combine the teachings of Pollack and Pizano.

In response to argument (D), besides the motivation provided in the rejection below,

further motivation would include reducing transmission time and bandwidth used. Pollack

clearly teaches that attachments can be streamed from the network server. See Pollack Col. 5

lines 64-67. With this teaching, combining the decoding of attachments, as taught by Pizano,

would result in faster transmission times along with consuming less bandwidth. This would have

been obvious to anyone of skill in the art because these advantages are something everyone looks

for to achieve. Therefore, this argument is moot based upon this motivation and previous

motivations relied upon.

(E) Applicant contends that the background downloading of Dowling requires the user

to be aware of such downloading, whereas applicant alleges present invention does

not require user to be aware of such downloading.

In response to argument E, Dowling, regardless of whether the user is aware of the

background downloading, performs background downloading of information. See Col. 16 lines

9-12. Claim 9 does not recite any limitation other than "downloading attachments in parallel" or

background downloading. Stating that something is not required does not mean that it can or

cannot be present. Claims are interpreted based upon claim language and Dowling conforms to

this reasoning. Therefore, the applicant's argument with regards to when or how background

downloading occurs does not commensurate with the claim language found in claim 9. Hence,

this argument is not being considered.

(F) Applicant argues that Pollack in view of Slotznick does not download information

about the attachment separately from the attachment, whereas claim 16 of the present

invention calls for downloading the attachment from the attachment information

separately.

In response to argument F, Examiner respectfully disagrees to the argument because

information about the attachment is downloaded separate from the actual attachment. Slotznick

teaches that primary information along with a 4K file representing a portion of the secondary

information [Slotznick -- Col. 26 lines 62-65]. In addition, this 4K portion may be downloaded

before, simultaneously or immediately after the primary information [Slotznick -- Col. 26 lines

65-67]. The primary information along with the 4K file represents attachment information,

which again is downloaded before the actual attachment [Slotznick -- Col. 26 line 67 – Col. 27

lines 1-5]. The primary information with the 4K file provide information about the attachment,

including information about the contents of the file, i.e. thumbnail or preview. More

importantly, thumbnails will contain underlying links to the location of the actual file on the

server. This further provides attachment information which is downloaded separately and before

the actual file or attachment. Attachment information refers to any information relating to an

attachment and can broadly be incorporate to mean almost anything about the attachment. As is

noted, claims are given their broadest reasonable interpretation. Thus, the primary/4K

information downloaded contains information about the attachment. The Examiner accordingly

demurs to this assertion because Slotznick does show the attachment information is downloaded

separately from the attachment.

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Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
> in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
> patent by another filed in the United States before the invention by the applicant for patent, except that an
> international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
> subsection of an application filed in the United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English language.

5.   Claims 14-15 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Pollack

(U.S. 6,505,236).

With respect to claim 14, Pollack teaches a system for selectively downloading a multi-

part e-mail message for a user, the multi-part e-mail message including at least one attachment,

the attachment being encoded, the system comprising:

a.   An e-mail server for receiving the multi-part e-mail message **[Pollack -- Col. 7**

lines 66-67 and Col. 8 lines 37-38 – An inherent part of any email system is an e-mail

server for receiving/routing/transmitting/storing email messages for users. Thus, a

distinct, i.e. separate e-mail server would receive the email messages and work in

conjunction with network server, i.e. proxy, to detach messages];

b.   An e-mail proxy in communication with said e-mail server for receiving at least

attachment information about the multi-part e-mail message and the attachment [Pollack

-- Col. 5 lines 17-19 – Handle generator, as part of network server, i.e. proxy,

receives file name and location, i.e. attachment information, of attachment along

with the attachment for storage], and for preparing a formatted message containing a

link to the attachment [Pollack -- Figure 2 items 104 and 112, Col. 4 lines 27-29, Col. 5

lines 19-22 and 28-32 and Col. 7 lines 7-11 – Proxy, generates handle information,

i.e. link, from attachment information and formats message to include e-mail body

and handle, i.e. link]; and

c.   An e-mail client in communication with said e-mail proxy for receiving said

formatted message and for displaying said formatted message to the user [Pollack -- Col.

5 lines 44-45 – User downloads message for the purpose of viewing mail item on his

device], such that the attachment is displayed to the user after the user selects said link

[Pollack -- Col 5 lines 17-22 and lines 47-50 – User downloads message using e-mail

client, views appended message, and can view attachment by clicking on link].

With respect to claim 15, Pollack further teaches wherein said e-mail proxy downloads

the attachment with said attachment information [Pollack -- Col. 4 lines 3-7 and Col. 5 lines 17-

19 – Attachment is downloaded, which is used to get information, i.e. from header, to

append to e-mail message as handle, i.e. link. Attachment information, such as filenames,

comes from the header of the file, i.e. attachment. This is obvious as the content header for

an attachment contains information, such as filename, etc.].

With respect to claim 17, Pollack further teaches wherein the multi-part e-mail message

contains a text-part, and said formatted message includes said text-part [Pollack -- Col. 1 lines

59-62 and Col. 5 lines 30-32 – Appended message contains handle and e-mail body without

attachment].

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to.be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter·pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

3.   Claims 1-6, 8, 10-11, 13 and 18 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Pollack (U.S. 6,505,236) in view of Pizano et al. (U.S. 6,105,055).

Regarding claim 1, Pollack teaches the invention substantially as claimed, selectively

downloading a multi-part e-mail message to an e-mail client operated by a user from an e-mail

server, the multi-part e-mail message including at least.one attachment [Pollack -- Abstract], the

attachment being encoded, the method comprising:

retrieving said at least one attachment information for the multi-part e-mail message from

the e-mail server **[Pollack -- Col. 5 lines 17-19 – Handle generator receives file name and

location, i.e. attachment information, of attachment]**;

downloading said at least one attachment of the multi-part email message from said email

server **[Pollack -- Figure 1 (receiving portal - 12), Figure 2 item 102, Col. 4 lines 5-8 and

Col. 7 lines 1-3 – Mail storage system receives e-mail message from e-mail server along with

the attachment]**;

preparing a formatted message for sending to the e-mail client, said formatted message

containing a link to at least one downloaded attachment, such that the attachment is not sent to

the e-mail client **[Pollack -- Figure 2 items 104 and 112 and Col 5 lines 19-22 and 28-32 –

Formatted message, containing link to downloaded attachment, is created without

including the stripped attachment]**;

sending said formatted message to the e-mail client **[Pollack -- Figure 2 item 112, Col. 5

lines 30-32 and Col. 7 lines 7-11 – Formatted message is sent to recipient without

attachment]**;

displaying said formatted message to the user by the e-mail client **[Pollack -- Col. 5 lines

44-45 – User downloads message for the purpose of viewing mail item on his device]**;

requesting said at least one attachment by said e-mail client **[Pollack -- Col. 5 lines 47-50

– Once formatted message, i.e. appended electronic mail item, is downloaded, user can

choose to download attachment by clicking on the handle, i.e. link]**; and

sending said requested attachment to said e-mail client **[Pollack -- Col. 5 lines 54-56 and 61-67 – Attachment can be downloaded in a streaming format to user from the system/server acting as an intermediary storing the attachment]**.

Pollack fails to teach decoding the attachment.

Pizano, however, teaches a delayed conference manager which downloads the e-mail and decodes the attachments **[Pizano -- Col. 4 lines 46-47 – Attachment in E-mail message is decoded before user is allowed to view attachment]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the decoding of mail items, i.e. e-mail and attachments, as taught by Pizano into the invention of Pollack, in order to ensure that the user will be able to view the attachment by having the server decode it rather than relying on each machine hopefully having the ability to decode the attachment.

Regarding claim 2, Pollack-Pizano further teach wherein said attachment information includes the entirety of the multi-part e-mail message **[Pollack -- Col. 5 lines 28-36 – Handle, i.e. attachment information, along with rest of message, excluding attachment, makes up the appending electronic mail message, i.e. formatted message]**, such that said preparing a formatted message **[Pollack -- Figure 2 items 104 and 112 and Col 5 lines 19-22 and 28-32 – Formatted message, containing link to downloaded attachment, is created without including the stripped attachment]** further comprises the separating the multi-part e-mail message into a plurality of portions, including at least a first portion containing the attachment **[Pollack -- Figure 2, Col. 4 lines 25-29 and Col. 7 lines 3-4 – Entire mail message is**

retrieved from server upon which it is parsed, extracting the attachment from the message, i.e. separated].

Regarding claim 3, Pollack-Pizano further teach wherein the multi-part e-mail message includes a text-part, such that said preparing a formatted message further comprises the separating the multi-part e-mail message into a second portion containing said text-part [**Pollack -- Col. 1 lines 59-67, Col. 4 lines 25-29 and Col. 7 lines 3-4 – After attachment is detached, i.e. separated, the body of the e-mail, i.e. text portion or second portion, remains**], and wherein said preparing a formatted message includes adding said second portion to said formatted message [**Pollack -- Col. 5 lines 28-32 and Col. 7 lines 7-11 – Appended mail item includes handle, i.e. link to attachment, and text/body of original mail message, i.e. second portion**].

Regarding claim 4, Pollack-Pizano further teach wherein said requesting said at least one attachment by said e-mail client further comprises selecting said link by the user from said formatted message [**Pollack -- Col. 5 lines 17-22 and 47-50 and – Once formatted message, i.e. appended electronic mail item, is downloaded, user can choose to download attachment by clicking on the handle, i.e. link**].

Regarding claim 5, Pollack-Pizano further teach wherein said downloading at least one attachment from said email server for viewing by the user is performed in a streamed manner

[**Pollack -- Col. 5 lines 61-67 -- Attachment can be downloaded in a streaming format to the recipient**].

Regarding claim 6, Pollack-Pizano further teach:

providing a Web browser for interacting with the user [**Pollack -- Col. 5 lines 56-59 -- User accesses attachment retriever via web browser**]; and

displaying said attachment by said Web browser, such that said downloading said attachment is performed according to HTTP [**Pollack -- Col. 56-67 -- Attachment is downloaded using browser, which obviously uses the well-known and widely used HTTP and HTML services, to access server and retrieve/view attachment in browser window**].

Regarding claim 8, Pollack-Pizano further teach wherein said attachment information is a header for the attachment [**Pollack -- Col. 5 lines 17-19 -- Attachment information, such as filename, come from the header of the file, i.e. attachment. This is obvious as the content header for an attachment contains information, such as filename, etc.**].

Regarding claim 10, Pollack-Pizano teach the invention substantially as claimed, wherein said downloading said attachment from said email server includes decoding said attachment [**Pizano -- Col. 4 lines 46-47 -- Attachment in E-mail message is decoded before user is allowed to view, i.e. download, the attachment**].

Regarding claim 11, Pollack-Pizano further teach the method further comprising:

downloading said attachment from proxy to client in a streamed manner for viewing by the user **[Pollack -- Col. 5 lines 61-67 – Attachment can be downloaded in a streaming format to user from the system/server acting as an intermediary, i.e. proxy, storing the attachment]**.

Regarding claim 13, Pollack-Pizano further teach wherein said retrieving at least one attachment information from said multi-part email message includes providing an e-mail proxy for communicating with the e-mail server and with the e-mail client, such that said retrieving said attachment, said downloading said attachment, said preparing said formatted message and said sending said formatted message are performed by said e-mail proxy **[Pollack -- Figure 1 and Col. 4 lines 3-7, Col. 5 lines 28-36 and Col. 7 lines 1-11 – Intermediary system, i.e. proxy, contains receiving portal for receiving and storing the message, which includes retrieving and downloading the attachment, preparing the formatted message, i.e. appended electronic mail message, along with transmitting portal for sending the appended message to the client without the attachment]**.

Regarding claim 18, Pollack teaches the invention substantially as claimed, as aforementioned in claim 14 above, but fails to teach wherein the e-mail proxy downloads and decodes the attachment before it is sent to the e-mail client.

Pizano, however, teaches this limitation substantially as claimed, wherein the e-mail proxy downloads and decodes the attachment before it is sent to the e-mail client **[Pizano -- Col. 4 lines 46-47]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the decoding of mail items, i.e. e-mail and attachments, as taught by Pizano into

the invention of Pollack, in order to ensure that the user will be able to view the attachment by

having the server decode it rather than relying on each machine hopefully having the ability to

decode the attachment.

4.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pollack (U.S.

6,505,236) and Pizano et al. (U.S. 6,105,055), as applied to claim 1 above, in view of Dowling et

al. (U.S. 6,574,239).

Regarding claim 9, Pollack-Pizano teach the invention substantially as claimed, as

aforementioned in claims 1 above, but fails to teach wherein said downloading said attachment

from said email server is performed in parallel to said preparing a formatted message.

Dowling, however, teaches background downloading of data that will not be used until later

while other processes are occurring, i.e. in parallel to another process **[Dowling -- Col. 16 lines

9-12]**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the parallel, i.e. background, downloading of data files, i.e. attachments, as taught

by Dowling into the invention of Pollack-Pizano, in order to allow a user or system to continue

to process other instructions while another process is occurring in the background, instead of

waiting for another, non-critical, process to finish.

5.   Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pollack (U.S.

6,505,236), as applied above in claim 14, in view of Slotznick (U.S. 6,011,537).

Regarding claim 16, Pollack teaches the invention substantially as claimed, as

aforementioned in claim 14 above, but fails to teach downloading the attachment separately from

said attachment information.

Slotznick, however, teaches of downloading primary and secondary information containing

information about a file before downloading the actual full file **[Slotznick -- Col. 26 lines 62-67**

– Col. 27 lines 1-5].

It would have been obvious to one of ordinary skill in the art at the time the invention was made

to incorporate the downloading of file information before the actual file, as taught by Slotznick

into the invention of Pollack, in order to reduce the wait time required by one process to continue

running by downloading only the portion of information that process needs first.

6.   Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pollack (U.S.

6,505,236) in view of Ubowski (U.S. 6,618,758).

        Regarding claim 19, Pollack teaches the invention substantially as claimed, a method for

selectively downloading a plurality of portions but not an entirety of a multi-part e-mail message

to an e-mail client operated by a user from an e-mail proxy **[Pollack -- Abstract]**, the method

comprising the steps of:

        retrieving the multi-part e-mail message from an e-mail server **[Pollack -- Col. 5 lines**

        17-19 – Handle generator receives file name and location, i.e. attachment

        information, of attachment];

        separating said multi-part e-mail message into a plurality of portions **[Pollack -- Figure**

        2, Col. 4 lines 25-29 and Col. 7 lines 3-4 – Entire mail message is retrieved from

        server upon which it is parsed, extracting the attachment from the message, i.e.

        separated];

        parsing at least one header from said plurality of portions **[Pollack -- Col. 4 lines 40-67 –**

Parser processes the message to extract the recipient address which, as is well-known and

obvious, is stored in a header of the e-mail message];

        preparing a formatted message by the e-mail proxy for sending to the e-mail client, said

formatted message containing said plurality of portions but not the entirety of said multi-part e-

mail message **[Pollack -- Figure 2 items 104 and 112 and Col 5 lines 19-22 and 28-32 –**

Formatted message, containing link to downloaded attachment and message body, i.e. text,

is created without including the stripped attachment. This constitutes a portion of the

message but not it's entirety because the attachment is not included]; and

sending said formatted message to said e-mail client **[Pollack -- Figure 2 item 112, Col.**

5 lines 30-32 and Col. 7 lines 7-11 – Formatted message is sent to recipient without

attachment].

Pollack fails to teach that a preference is used to determine which information to parse/transmit.

However, as stated above, Pollack does teach parsing the header to extract information, i.e.

recipient address.

Ubowski, however, teaches a system for downloading portions of a file, i.e. information, based

upon preferences set up by a user **[Ubowski -- Col. 2 lines 1-4 and 12-16 and Col. 3 lines 35-38**

– User selects and designates, i.e. a preference, which portions of a file to download].

Both Pollack and Ubowski are concerned with alleviating network traffic by not downloading

unnecessary/undesirable files or portions of files.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the preferential downloading of files, i.e. information, as taught by

Ubowski into the invention of Pollack, specifically the parsing of header information, in order to

give the user more control and allow them to select which portions get downloaded, which in

turn, will alleviate wasted and unnecessary network traffic.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 571-272-3917.

The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the

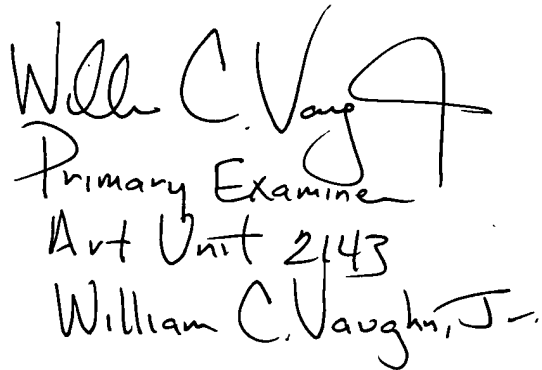organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM
February 14, 2005

Primary Examiner
Art Unit 2143
William C. Vaughn, Jr.